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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,251	10/31/2003	Takanobu Adachi	SHO-0025	9042
23353 7590 08/11/2009 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
FRISBY, KESHA				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,251

Applicant(s)

ADACHI ET AL.

Examiner

KESHA FRISBY

Art Unit

3715

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5, 6, 21-24, 27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 6, 21-24, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

After the request for reconsideration was filed on 10/21/2008, claims 1, 2, 5, 6, 21-24, 27 & 28 are pending in this application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 27 & 28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In independent claim 27, the applicant recites a negative limitation, "...only when the specific winning combination is determined" in the currently amended claim. The examiner is unable to find any disclosure in the originally filed specification that would suggest this claim language. Therefore, the examiner is considering this amended language new matter.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. (U.S. Publication Number 2003/0087690) in view of Okada (U.S. Patent Number 6,620,044), Muir et al. (U.S. Publication Number 2005/0192090) and Ozaki et al. (U.S. Publication Number 2001/0031658).

Referring to claim 1, Loose et al. discloses a gaming machine (10) comprising: game start instruction means for instructing a start of a game (paragraph 0018: "Spin Reels" key on the button panel 24); determination means for determining symbols to be stopped (paragraph 0018: central processing unit) after the start if the game and whether during the game, the determined symbols to be stopped is a winning combination of symbols (paragraphs 0018, 0019 & 0021); game result display means for displaying a result concerning with the game (paragraphs 0012 & 0026); and means for generating a beneficial state for a player when the determined symbols to be stopped are in the winning combination of symbols (paragraph 0026); wherein the game result display means includes first display means (12a-12c) and second display means (14a & 14b) arranged at a more front side than a display area of the first display means when seen from a front side of the gaming machine (Figs. 2a & 2b), the first display means including a plurality of rotatable reels with each reel having a plurality of symbols disposed circumferentially thereabout (paragraphs 0012-0015), and the second display means has a plurality of symbol display areas (14 & 14b), each symbol display area capable of transmittably displaying the specific game result displayed on the first display means therethrough (paragraph 0019), each respective symbol display area sized to display at least one of a plurality of symbols associated to a corresponding one of the

plurality of reels (Figures), and wherein the display control means changes the light transmittance rate of the symbol display area so as to become low after the game is initiated and before an entire game result is displayed on the first display means (paragraph 0025) and after (a) the determination means determines the symbols to be stopped (paragraph 0018) and (b) a combination of the stopped symbols is the winning symbol combination (paragraph 0019), at least one of a plurality of symbols of the stopped reel are displayed through the symbol display area associated with the stopped reel (paragraph 0018), wherein, when the light transmittance rate is low, the first display means becomes obstructed thereby emphasizing the displayed game information for a player to easily observe (paragraph 0025: accentuate the video image), the display control means controlling the second display means so as to display the game information in the area including the symbol display area by changing the light transmittance rate of the symbol display area so as to become high (paragraph 0019), and when the light transmittance rate is high, the first display means is easily viewed by the player to observe the game result (paragraph 0019). *Loose et al. does not disclose wherein the display control means is provided, the display control means controlling the second display means so as to display game information when the determined symbols to be stopped is the winning combination of symbols in an area including the symbol display area and game information is superimposed via the second display means on the at least one of the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate, the game information notifying the player of a forthcoming winning result.* However, Okada teaches wherein the display

control means is provided, the display control means controlling the second display means so as to display game information when the determined symbols to be stopped is the winning combination of symbols in an area including the symbol display area (column 2 line 64-column 3 line 10). It would have been obvious to one of ordinary in the art at the time the invention was made to include wherein the display control means is provided, the display control means controlling the second display means so as to display game information in an area including the symbol display area, the game information directly predicting the winning symbol combination, as disclosed by Okada, incorporated into Loose et al. in order for the player to predict or expect a result of the game during the variation of symbols. *Loose et al./Okada does not teach game information is superimposed via the second display means on the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate, the game information notifying the player of a forthcoming winning result.*

However, Muir et al. teaches game information is superimposed via the second display means on the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate (paragraph 0051), the game information notifying the player of a forthcoming winning result (paragraph 0051: "wild card"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include game information is superimposed via the second display means on the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate, as disclosed by Muir et al., incorporated into Loose et al./Okada in order to trigger a particular condition. *Muir et al.*

does not explicitly teach superimposing via the second display while at least a remaining one of rotating reels continue to rotate. However, Ozaki et al. teaches superimposing via the second display (paragraphs 0048 & 0049) while at least a remaining one of rotating reels continue to rotate (paragraphs 0047, 0062-0064). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include superimposing via the second display while at least a remaining one of rotating reels continue to rotate, as disclosed by Ozaki et al., incorporated into Loose et al./Okada in order for the player to anticipate a winning combination.

Referring to claim 2, Loose et al., as modified by Okada, Muir et al. and Ozaki et al., discloses wherein the first display means has one or more symbol display parts (symbols on reels of Loose et al.) capable of variable displaying (visual association with display area 16 of Loose et al.), and wherein the display control means controls the second display means so as to display the game information in the area including the symbol display area substantially at the same time that the variable displaying in the symbol display parts is stopped and displayed (paragraphs 0012 & 0019 of Loose et al.).

Referring to claim 5, Loose et al., as modified by Okada, Muir et al. and Ozaki et al., discloses wherein a window frame display area is formed at a periphery of the symbol display area (where the glass cover/window is inserted around the display area 16 for non-movement of Loose et al.), and wherein display mode of the window frame display area is changed when the game information is displayed in the area including the symbol display area (for example: going from Fig. 5 to Fig. 6 to Fig. 7 of Loose et al.).

Referring to claim 6, Loose et al., as modified by Okada, Muir et al. and Ozaki et al., discloses wherein the first display means includes a plurality of reels (12a-c of Loose et al.), and the display control means controls the second display means so as to display the game information before all of the reels are stopped (column 2 line 64-column 3 line 10 of Okada).

5. Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. (U.S. Publication Number 2003/0087690) in view of Muir et al. (U.S. Publication Number 2005/0192090) and Ozaki et al. (U.S. Publication Number 2001/0031658).

Referring to claim 21, Loose et al. discloses a first display device (12a-12c) including a plurality of rotatable reels with each reel having a plurality of symbols disposed circumferentially thereabout (paragraphs 0012-0015); a second display device arranged at a more front side than the first display device when seen from a front side of the gaming machine, the second display device including a plurality of symbol display areas, each symbol display area capable of transmittably displaying symbols on the first display device therethrough (14a & 14b), each respective symbol display area sized to display at least one of a plurality of symbols associated to a corresponding one of the plurality of reels (Figures); and a processor in communication with the first display device and the second display device (microcontroller 30); the processor operate to determine means the symbols to be stopped (paragraph 0018) and wherein, when the symbols to be stopped are a winning symbol combination (paragraphs 0018 & 0019), at least one of a plurality of symbols of the stopped reel are displayed through the symbol

display area associated with the stopped reel (paragraph 0018), wherein the processor controls the second display device so as to display the game information on the symbol display area by changing the light transmittance rate of the symbol display area, the light transmittance rate being one of high and low (paragraphs 0019 & 0025), and wherein, when the light transmittance rate is low, the first display device becomes obstructed thereby emphasizing the displayed game information for a player to easily observe (paragraph 0025), and, when the light transmittance rate is high, the first display device is easily viewed by the player to observe the game result (paragraph 0019). *Loose et al. does not teach game information is superimposed via the second display means on at least one of the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate, the game information notifying the player of a forthcoming winning result.* However, Muir et al. teaches game information is superimposed via the second display means on the at least one of the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate (paragraph 0051), the game information notifying the player of a forthcoming winning result (paragraph 0051: "wild card"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include game information is superimposed via the second display means on the plurality of displayed symbols of the stopped reel while at least a remaining one of rotating reels continue to rotate, as disclosed by Muir et al., incorporated into Loose et al. in order to trigger a particular condition. *Muir et al. does not explicitly teach superimposing via the second display while at least a remaining one of rotating reels continue to rotate.*

However, Ozaki et al. teaches superimposing via the second display (paragraphs 0048 & 0049) while at least a remaining one of rotating reels continue to rotate (paragraphs 0047, 0062-0064). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include superimposing via the second display while at least a remaining one of rotating reels continue to rotate, as disclosed by Ozaki et al., incorporated into Loose et al. in order for the player to anticipate a winning combination. Referring to claim 22, Loose et al., as modified by Muir et al. and Ozaki et al., discloses wherein the processor (microcontroller of Loose et al.) controls the second display device (14a & 14b of Loose et al.) so as to display the game information in the symbol display area after the game is initiated and before a winning symbol combination is displayed if the winning symbol combination is displayed on the first display device (12a-12c of Loose et al.).

Referring to claim 23, Loose et al., as modified by Muir et al. and Ozaki et al., discloses wherein the first display device has one or more symbol display parts capable of variable displaying (12a-12c of Loose et al.), and wherein the processor controls the second display device so as to display the game information in the symbol display area substantially at the same time that the variable displaying in the symbol display parts is stopped (abstract, Fig. 11 & associated text of Loose et al.).

Referring to claim 24, Loose et al., as modified by Muir et al. and Ozaki et al., discloses wherein a window frame display area is formed at a periphery of the symbol display area (where the glass cover/window is inserted around the display area 16 for non-movement of Loose et al.), and wherein display mode of the window frame display area

is changed when the game information is displayed in the area including the symbol display area (for example: going from Fig. 5 to Fig. 6 to Fig. 7 of Loose et al.).

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. in view of Watanabe (U.S. Publication Number 2003/0045346) and Muir et al..

\Referring to claim 27, Loose et al. discloses game result display means for displaying a game result concerning with a game (paragraphs 0012 & 0026); and beneficial state generating means for generating a beneficial state for a player when a specific game result is displayed on the game result display means (paragraph 0026); wherein the game result display means includes first display means including plural reels each of which has symbols (12a-12c), for displaying the game result represented by symbols of the reels and second display means (14a & 14b) arranged in front of the first display means when seen from a front side of the gaming machine (Figs. 2a & 2b). *Loose et al. does not disclose an internal winning combination determination means for determining an internal winning combination, the second display means has a symbol display area light transmittance rate of which is changed so as to become high so that the player easily views the reels and the game result when the reels are rotating and the game result is displayed by the reels, wherein display control means is provided, the display control means controlling the second display means so as to display game information concerning with a specific winning combination determined as the internal winning combination by the internal winning combination determination means, within the symbol display area and wherein, only when the specific winning combination is*

determined, the light transmittance rate of the symbol display area is adjusted so as to become low so that the game information is emphasized for ease of viewing by the player by obstructing the player's view of the game result displayed on the first display means when the game information is displayed within the symbol display area.

However, Watanabe teaches an internal winning combination determination means for determining an internal winning combination (paragraphs 0022, 0042 & 0055) and wherein display control means (controller 360) is provided, the display control means controlling the second display means so as to display game information concerning with a specific winning combination determined as the internal winning combination by the internal winning combination determination means, within the symbol display area (paragraph 0042). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include internal winning combination, as disclosed by Watanabe, incorporated in to Loose et al. in order to determine before-hand symbols that form a winning combination. *Loose et al/Watanabe does not teach the second display means has a symbol display area light transmittance rate of which is changed so as to become high so that a player easily views the reels and the game result when the reels are rotating and the game result is displayed by the reels and wherein, only when the specific winning combination is determined, the light transmittance rate of the symbol display area is adjusted so as to become low so that the game information is emphasized for ease of viewing by the player by obstructing the player's view of the game result displayed on the first display means when the game information is displayed within the symbol display area.* However, Muir et al. teaches the second

display means has a symbol display area light transmittance rate of which is changed so as to become high so that a player easily views the reels and the game result when the reels are rotating and the game result is displayed by the reels (paragraph 0050) and wherein, only when the specific winning combination is determined, the light transmittance rate of the symbol display area is adjusted so as to become low so that the game information is emphasized for ease of viewing by the player by obstructing the player's view of the game result displayed on the first display means when the game information is displayed within the symbol display area (paragraphs 0012, 0014, 0022 & 0051). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the second display means has a symbol display area light transmittance rate of which is changed so as to become high, as disclosed by Loose et al./Watanabe in order to make symbol carrying arrangement visible through the LCD 50.

Referring to claim 28, Loose et al., as modified by Watanabe and Muir et al., discloses wherein the second display means is constructed from a liquid crystal display device (paragraph 0013 of Loose et al.) which is set to a normally white state in which light transmitted through the liquid crystal display device can be seen from outside when the liquid crystal display device is not driven (well-known in the art that normally white mode is an attribute of liquid crystal technology of Loose et al.).

Response to Arguments

7. Applicant's arguments filed 5/11/2009 have been fully considered but they are not persuasive. On page 10 of the Remarks, the applicant asserts that "it is respectfully

submitted that non of the applied art, alone or in combination, teaches or suggests the feature of claim 1 as amended. Specifically, it is respectfully submitted that the applied art, alone or in combination, fails to teach or suggest determination means, beneficial state generating means and display control means as now claimed". The examiner disagrees with the applicant's assertion by adding the limitations to the rejection above and provided citations to where these claim limitations can be found in the prior art. The applicant also asserts that "it is respectfully submitted that the applied art also fails to teach or suggest that when the light transmittance rate is low, the first display means becomes obstructed thereby emphasizing the displayed game information for a player to easily observe and, when the light transmittance rate is high, the first display means is easily viewed by the player to observe the game result." The examiner disagrees with the applicant's assertion because the applicant has not distinctly and specifically pointed out the supposed errors in the Office's action. On page 12 of the Remarks, the applicant asserts that "it is respectfully submitted that none of the applied art, alone or in combination teaches or suggests the features of claim 21 as amended. The examiner disagrees with the applicant's assertion by adding the limitations to the rejection above and provided citations to where these claim limitations can be found in the prior art. On page 14 of the Remarks, the applicant asserts that "it is respectfully submitted that none of the applied art, alone or in combination teaches or suggests the features of claim 27 as amended. The examiner disagrees with the applicant's assertion by adding the limitations to the rejection above and provided citations to where these claim limitations can be found in the prior art.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KESHA FRISBY whose telephone number is (571)272-8774. The examiner can normally be reached on Monday-Friday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/XUAN M. THAI/
Supervisory Patent Examiner, Art Unit 3715

/K. F./
Examiner, Art Unit 3715